

Amendment No. 4 to SB3049

**Black
Signature of Sponsor**

AMEND Senate Bill No. 3049

House Bill No. 2927*

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Title 4, Chapter 28, Part 1, is amended by adding the following language as a new, appropriately designated section thereto:

§ 4-28-1__.

(a) No constitutional officer, elected official in the executive branch, member of the governor's cabinet, or cabinet level staff within the governor's office who ceases service or employment with the state on or after June 1, 2010, shall knowingly accept or receive compensation for services rendered to a qualified TNInvestco within twelve (12) months after such person ceases employment with the state.

(b) The attorney general and reporter may bring an action in the name of the state seeking injunctive relief in the chancery court of Davidson County to restrain any person from violating subsection (a).

(c)

(1)

(A) If the court finds that any constitutional officer, elected official in the executive branch, member of the governor's cabinet, or cabinet level staff within the governor's office has violated subsection (a), the court shall order such person to pay the state a civil penalty of two hundred percent (200%) of the value of any compensation received in violation of subsection (a).

(B) In addition to the penalty set out in subdivision (c)(1)(A), if the court finds that a qualified TNInvestco knowingly offered or provided compensation for services rendered to a constitutional officer, elected official in the executive branch, member of the governor's cabinet, or cabinet level staff within the governor's office in violation of subsection (a), the qualified TNInvestco shall pay the state a civil penalty of two hundred percent (200%) of the value of any compensation provided to such person in violation of subsection (a).

(2) In addition to any other penalty set out in this section, upon a court finding that a person violated subsection (a), the court may also order reimbursement to the state for the reasonable costs and expenses of investigation and prosecution of violations of this section, including attorneys' fees.

(d) For purposes of this section, "compensation" means any salary, fee, payment, reimbursement or other valuable consideration, or any combination thereof.